Presiding Supervisor Marini called the regularly scheduled Town Board Meeting, County of Wayne, State of New York, held at the Walworth Town Hall, 3600 Lorraine Drive, Walworth, NY to order at 7:30 PM and let those present in the Pledge of Allegiance.

Patricia Marini PRESENT: Supervisor

Councilman Larry Ruth Vaughn Pembroke Councilman Suzi Hawkins-Mance Councilwoman Suzi Hawkinstwa...

Judy Markowski

Councilwoman

Highway Superintendent

Jacqueline VanLare, Recreation Director; Brendan OTHERS PRESENT: Bystrak, Labella Associates, P.C. Engineer for the Town; Dan Courteau, Scout Troop 167; Town Newspaper Reporter, and six (6) attendees.

MINUTES:

Motion by Councilman Ruth that the Minutes of October 16, 2014 Regular Meeting be approved as submitted by the Town Clerk. Seconded by Councilman Pembroke.

Roll call vote: Councilman Ruth Aye

> Councilman Pembroke Aye Councilwoman Hawkins-Mance Aye Councilwoman Markowski Aye Supervisor Marini Aye

Motion carried.

PUBLIC PARTICIPATION:

No one present offered any comments.

COMMITTEE REPORTS:

Council members reported on their respective committees with the following Town Board actions:

PARKS AND RECREATION - RESOLUTION 218-14 AUTHORIZE THE PARKS AND RECREATION DEPARTMENT BE CLOSED DECEMBER 22-24, 2014:

Councilwoman Hawkins-Mance offered the following Resolution 218-14 and moved its adoption. Seconded by Councilman Ruth to wit:

BE IT RESOLVED, that the Parks and Recreation Department be closed December 22-24, 2014.

Adopted this 6th day of November 2014 at a meeting of the Town Board.

Roll call vote: Councilman Ruth Aye

Councilman Pembroke Aye
Councilwoman Hawkins-Mance Aye
Councilwoman Markowski Aye
Supervisor Marini Aye

Resolution carried.

ASSESSMENT - RESOLUTION 222-14 AUTHORIZE THE TOWN
SUPERVISOR TO SIGN THE CONTRACT WITH MIDLAND APPRAISAL TO
CONDUCT AN APPRAISAL FOR A COMMERCIAL PROPERTY IN TOWN
FOR AN AMOUNT NOT TO EXCEED \$5,000.00 FROM BUDGET LINE
A1355.46:

Councilwoman Markowski offered the following Resolution 222-14 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit: The following was submitted:



Dennine L. Leeson Assessor

Phone: (315) 986-1400 Fax: (315) 986-1440

November 5, 2014

Attention

Patricia Marini, Walworth Town Supervisor Walworth Town Board Members

Re: Consultation Services

I am requesting permission to have Midland Appraisal conduct an appraisal for a commercial property in town. The cost would be expended from the Consultation Services line A1355.46 and would not exceed \$5,000.

If you should have any questions, please do not hesitate to contact me.

Respectfully submitted,

Dennine L. Leeson Assessor

BE IT RESOLVED, that the Town Supervisor is authorized to sign the contract with Midland Appraisal to conduct an appraisal for a commercial property in Town, for an amount not to exceed \$5,000.00 from budget line A1355.46 as requested. Procurement Form.

Adopted this 6th day of November 2014 at a meeting of the Town Board.

Discussion ensued.

Roll call vote: Councilman Ruth Aye

Councilman Pembroke Aye
Councilwoman Hawkins-Mance Aye
Councilwoman Markowski Aye
Supervisor Marini Aye

Resolution carried.

BUILDING DEPARTMENT / ENGINEER - RESOLUTION 217-14 AUTHORIZE LETTER OF CREDIT RELEASE FOR WALWORTH PLAZA, LLC (TOPS) IN THE AMOUNT OF \$249,073.00:

Councilwoman Markowski offered the following Resolution 217-14 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit: The following was submitted:



300 State Street, Suite 201 | Rochester, NY 14614 | p 585.454.6110 | f 585.454.3066 | www.labellapc.com

November 3, 2014

Mrs. Patti Marini, Town Supervisor Town Board Town of Walworth 3600 Lorraine Drive Walworth, NY 14568

RE: Town of Walworth,

TOPS Letter of Credit Release #1 LaBella Project Number 212140.018

Dear Mrs. Marini:

LaBella Associates has been working with the developer and applicant's engineer, Marathon Engineering, regarding the first letter of credit release for TOPS.

The developer has requested a release totaling \$274,936 which includes:

Earthwork and Erosion Controls
Sanitary Sewer System
85%
Water System
100%
County Right-of-way
Landscaping and Misc
Contingency (% total release)
Engineering and Inspection
79%

We have interviewed Mr. Kevin Rooney PE, Wayne County Highway Superintendent, and he agreed to the developer's request for an 80% release for work completed in the County Right-of-way. We confirmed this morning with Norm Druschel that Rob Burns has accepted the installation and partial testing of the sanitary sewers. Several short segments still need to be tested and coating applied to the structures. Norm and Rob authorized/approved release of 85% of the sanitary sewers amount established in the letter of credit. Previously, Norm and I agreed that 90% of the earthwork and erosion control measures have been completed and water system is 100% installed and approved by the NYSDOH and WCSWA.

We recommend releasing \$249,073 from the letter of credit which includes the percentage complete on the contingencies and engineering as outlined above. The retainage of 10% is held until completion of the record drawings for the dedicated utilities, punchlist for dedicated utilities, final site restoration, and execution of the stormwater management agreement between the developer and the town. The retainage is \$27,677 and is included in the remaining letter of credit totaling \$101,953.

Thank you for the opportunity to serve the Walworth Community. Please contact us at your convenience with any questions or concerns regarding this letter of credit release.

Sincerely,

LABELLA ASSOCIATES, P.C.

Brelu Brendan Bystrak, PE Civil Engineer

Attachments: Letter of Credit Reduction from Marathon Engineering dated November 3, 2014

BSB/bsb

cc: LaBella Project File 212141.018

Relationships. Resources. Results



Letter of Credit Reduction

Project: Tops Friendly Market

Prepared For: Walworth Plaza, LLC.

415 Park Ave.
Rochester, NY 14604

Prepared By: Greg Suracl
Marathon Engineering

Date

Date

1/- 3 - / 4

Town Engineer La Balla Date

Reduction # 1

Section No.	Section Description	Origi	nal Amount (\$)		Completed This Release	Retainage This Release	Authrzd This Release	Tot \$ Prvsly Authrzd	Tot Prvs Retainage \$	Tot Remng LOC \$
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	10% Contingency	5	30,524		24,065	2,407	21,659		- 17	8,86
	5% Engineering and Inspection Fee	\$	15,262	3	12,033	1,203	10,829			4,43
	OVERALL TOTAL LOC	\$	351,026	ż	276,750	27,677	249,073		. 8	101,95

1 of 5

BE IT RESOLVED, that Walworth Plaza, LLC is authorized a release from their Letter of Credit No.520003824 dated May 9, 2014 in the amount of \$249,073.00 as requested.

Adopted this 6th day of November 2014 at a meeting of the Town Board.

Roll call vote: Councilman Ruth Aye

Councilman Pembroke Aye Councilwoman Hawkins-Mance Aye Councilwoman Markowski Aye

Supervisor Marini Aye

Resolution carried.

BUILDING DEPARTMENT - RESOLUTION 219-14 AUTHORIZE EAGLE SCOUT PROJECT - INSTALLATION OF A SIGN FOR THE GINEGAW FARMERS MARKET IN GINEGAW PARK AND WAIVER OF BUILDING PERMIT FEES:

Councilwoman Markowski offered the following Resolution 219-14 and moved its adoption. Seconded by Councilman Ruth to wit:

The following was submitted:

WHEREAS, Scout Dan Courteau from Boy Scouts Troop 167 is working on achieving his Eagle Scout Rank, and

WHEREAS, his Eagle Scout Project is the installation of a sign 8 feet wide and 9 feet tall for the Ginegaw Farmers Market entrance in Ginegaw Park, and

WHEREAS, the Town requires a Building Permit for the installation of this sign, a waiver of the Building Permit Fee of \$50.00 is requested.

BE IT RESOLVED, Scout Courteau is permitted to install the sign for the Ginegaw Farmers Market in Ginegaw Park and the Building Permit Fee of \$50.00 is waived.

Adopted this 6th day of November 2014 at a meeting of the Town Board.

Discussion ensued.

Roll call vote: Councilman Ruth Aye

Councilman Pembroke Aye
Councilwoman Hawkins-Mance Aye
Councilwoman Markowski Aye
Supervisor Marini Aye

Resolution carried.

CEMETERIES - RESOLUTION 220-14 AUTHORIZE THE PURCHASE OF 80
US VETERAN PLASTIC GRAVE MARKERS FROM CARROT-TOP
INDUSTRIES INC. FOR \$540.00 PLUS SHIPPING CHARGE FROM A8810.42:

Councilwoman Markowski offered the following Resolution 220-14 and moved its adoption. Seconded by Councilman Ruth to wit:

The following was submitted:

Continued on the next page.

Cemeteries

The Cemetery Committee would like permission to order 80 US Veteran Plastic Grave Markers at a cost of \$6.75 each for a total of \$540.00. This would be charged to Line A8810.42 Cemeteries. These markers are thermoplastic U.S. Veteran grave markers with an antiqued bronze finish and protective plastic coating. Each marker measures approximately 6" in diameter and comes with a 3/8" x 18" aluminum rod. These markers will be used in Freewill, Baker, and West Walworth Cemeteries. At this point in time we have 68 Veteran graves this will give us a few extras going forward.

Prices were obtained as follows:

 Carrot-Top Industries Inc.
 \$6.75 over 50 markers
 \$540.00

 Eagle Flag of America Inc.
 \$16.00 each
 \$1,280.00

 Gettysburg Flag Works Inc.
 \$17.00 each
 \$1,360.00

 Flag Works
 \$13.95 each
 \$1,116.00

The Committee is in the process of obtaining quotes for signs for the Freewill and Baker Cemeteries.

BE IT RESOLVED, that the Cemetery Committee purchase 80 US Veteran Plastic Grave Markers at a cost of \$6.75 each for a total \$540.00 plus shipping charge from A8810.42.

Adopted this 6th day of November 2014 at a meeting of the Town Board.

Discussion ensued.

Roll call vote: Councilman Ruth Aye

Councilman Pembroke Aye
Councilwoman Hawkins-Mance Aye
Councilwoman Markowski Aye
Supervisor Marini Aye

Resolution carried.

TOWN CLERK - RESOLUTION 223-14 AUTHORIZE THE TOWN CLERK TO ISSUE A RENEWAL LICENSE TO MAINTAIN AND OPERATE A MOBILE HOME PARK FOR GALVIN'S MOBILE HOME PARK:

Councilman Ruth offered the following Resolution 223-14 and moved its adoption. Seconded by Councilman Pembroke to wit: The following was submitted:

WHEREAS, application has been made to the town board of the Town of Walworth for a License to maintain and operate a mobile home park (Section 1 & 2) at Galvin's Mobile Home Park, 1612 Hennessey Road, Walworth, New York, in said for the year 2015 pursuant to §180.42.

WHEREAS, the Building Inspector has completed the annual inspection of Galvin's Mobile Home Park on October 21, 2014; and has found no violations.

BE IT RESOLVED, that the Town Clerk issue the License and collect fees to Galvin's Mobile Home Park.

Adopted this 6th day of November 2014 at a meeting of the Town Board.

Roll call vote:

Councilman Ruth
Councilman Pembroke
Councilwoman Hawkins-Mance
Councilwoman Markowski
Supervisor Marini

Aye

Resolution carried.

OTHER BUSINESS:

RESOLUTION 221-14 AUTHORIZE THE TOWN SUPERVISOR TO ADVERTISE FOR ANY COMMITTEE OR BOARD 2015 VACANIES:

Councilwoman Hawkins-Mance offered the following Resolution 221-14 and moved its adoption. Seconded by Councilman Ruth to wit:

BE IT RESOLVED, that the Town Supervisor is authorized to advertise for any Committee or Board 2015 vacancies.

Adopted this 6th day of November 2014 at a meeting of the Town Board.

Roll call vote:

Councilman Ruth
Councilman Pembroke
Councilwoman Hawkins-Mance
Councilwoman Markowski
Supervisor Marini

Aye

Resolution carried.

RESOLUTION 224-14 AUTHORIZE THE CODE ENFORCEMENT OFFICER TO ENFORCE THE VIOLATION OF THE TOWN LAW §128 PROPERTY MAINTENANCE; WITHOUT PUBLIC HEARING FOR PROPERTY LOCATED AT 2061 WALWORTH-PENFIELD ROAD:

Councilman Ruth offered the following Resolution 224-14 and moved its adoption. Seconded by Councilwoman Hawkins-Mance to wit: The following was submitted:

WHEREAS, the property owner of 2061 Walworth-Penfield Road has been notified since May 2013 that he has been in violation of Town Law §128 Property Maintenance with overgrown grass, and

WHEREAS, the Code Enforcement Officer (CEO) has sent notification to the homeowner through September 30, 2014 and filed a "Notice of Pendency" with Wayne County Clerk's Office on October 17, 203 and has had numerous phone conversations with Mr. Harmor and complaints with neighboring residents, and

WHEREAS, the Code Enforcement Officer recommends that rather than sending another notice to appear for a hearing before the Town Board (§128-6A) and delaying the moving of the lawn prior to the bad weather sets in; that the Town Board authorize the CEO to contact Michielson Lawn and Landscape for the mowing of the lawn and the amount be assessed against the property and levied and collected according to Town Law (§128-6D).

BE IT RESOLVED, that the Code Enforcement Officer is authorized to contact Michielson Lawn and Landscape and proceed with having the lawn mowed at property 2061 Walworth-Penfield, Walworth, and amount assessed against the property and levied and collected according to Town Law.

Adopted this 6th day of November 2014 at a meeting of the Town Board.

Roll call vote: Councilman Ruth Aye

Councilman Pembroke Aye
Councilwoman Hawkins-Mance Aye
Councilwoman Markowski Aye
Supervisor Marini Aye

Resolution carried.

RESOLUTION 225-14 AUTHORIZING A CHANGE TO THE EMPLOYEE HANDBOOK – SICK TIME AND PERSONAL TIME:

Councilman Ruth offered the following Resolution 224-14 and moved its adoption. Seconded by Councilwoman Markowski to wit: The following was submitted:

Section 3 – Time Away from Work and Other Benefits

Page 5

Sick Days

Full-time and part-time regular employees are eligible, after 180 days of employment, for paid sick days each year.

Sick days are calculated according to the calendar year.

During your initial year of employment, after 180 days of employment, you receive sick days on a prorated basis. The Personnel Office will inform you of the number of days and the date on which you become eligible.

Full-time employees are eligible for 12 sick days each year.

Part-time regular employs are eligible for 6 sick days in proportion to the number of hours they are scheduled to work.

Employees are not paid any unused sick days. However, if you do not use your sick days during the year, you can carry them into the following year up to a maximum of 180 days for full-time employees and 90 days for part-time regular employees.

Employees are not paid for earned but unused sick days upon termination.

Sick time will be given to employees in blocks of 15 minutes.

Add:

Personal time:

When employees receive their sick days after 180 days of employment, full-time employees are permitted to use up to 3 days of their sick days for personal time and part-time employees are permitted to use up to 1 ½ days of their sick days for personal time.

Personal time is defined as time not worked for appointments that cannot be conducted outside of the hours that you are scheduled to work. Personal time is not carried into the following year and does not accumulate.

The employee shall give their immediate supervisor as much notice as possible in order to use personal time. An employee's immediate supervisor may deny a request for personal time use if it will result in a scheduling problem in a department.

BE IT RESOLVED, that the changes to the Employee Handbook be made as submitted.

Adopted this 6th day of November 2014 at a meeting of the Town Board.

Roll call vote:

Councilman Ruth
Councilman Pembroke
Councilwoman Hawkins-Mance
Councilwoman Markowski
Supervisor Marini

Aye

Resolution carried.

COMMUNICATIONS:

NEW YORK STATE DEPARTMENT OF AGRICULTURE AND MARKETS THANKING THE TOWN FOR SUBMITTING A JOINT PROPOSAL REGARDING PROPOSED CONSERVATION EASEMENT PROJECTS FOR G&S ORCHARDS AND NOTIFING THE TOWN THAT THE PROJECT WAS NOT SELECTED FOR AN AWARD:

The following was submitted:



Andrew M. Cuomo Governor

Richard A. Ball Commissioner

October 20, 2014

Honorable Patricia Marini Town of Walworth 3600 Lorraine Drive Walworth, NY 14568

Ms. Gay Mills Genesee Land Trust 46 Prince Street, Suite LL005 Rochester, NY 14607

Dear Honorable Marini and Ms. Mills:

Thank you for submitting a joint proposal regarding your proposed Conservation Easement Project for G&S Orchards. Unfortunately, this project was not selected for an award.

The Department received 55 qualified proposals requesting a total of nearly \$41 million in State funds. Twenty-one proposals were selected and collectively will receive approximately \$17.6 million in available grant funds.

If you have any questions concerning your recent proposal or if you wish to learn how your proposal could be improved should you decide to resubmit it in response to a future Request For Proposals, I encourage you to contact the Department's Farmland Protection Program Manager, David Behm. He may be reached by phone at 518-485-7729 or by e-mail at david.behm@agriculture.ny.gov.

We appreciate your interest in preserving our State's valuable farmland resources.

Sincerely,

Michael Latham, Director Division of Land and Water Resources

cc: Wayne County AFPB Gary and Stephanie Craft

Division of Land & Water Resources Phone: (5'

Phone: (518) 457-3738

Fax: (518) 457-3412

Motion by Councilman Ruth to accept and file. Seconded by Councilwoman Hawkins-Mance.

Roll call vote:

Councilman Ruth

Aye

Councilman Pembroke

Aye

Councilwoman Hawkins-Mance

Aye

Councilwoman Markowski

Aye

Supervisor Marini

Aye

Motion carried.

ACKNOWLEDGMENT OF GIRL SCOUTS BRONZE AWARDS FROM TROOP 40986:

The following email was submitted:

Susie Jacobs

From:

Patti Marini

Sent:

Wednesday, November 05, 2014 10:27 AM

To:

Susie Jacobs

Subject:

FW: Freewill Troop 40986 Bronze Award Names/Information

Can you include this in the agenda for Thursday's meeting.

Thank you

Patti

1 000

From: Disa [mailto:disa@rochester.rr.com]
Sent: Tuesday, November 04, 2014 9:36 PM

To: Patti Marin

Subject: Freewill Troop 40986 Bronze Award Names/Information

Ms. Marini

I would like to bring to your attention the accomplishment Freewill Troop 40986 for earning the Bronze Award.

Felicia Welker, Emma Wallace, Savannah Taylor, Kayla Syrell, Lian Sydorowicz, Sophia Siracuse, Aubrey Runkle, Julia Ross-McGuire, Claudia Rainwater, Carina Phillips, Emily Gallaher, Alaska Dunstan and Nicole Clark - Troop Leader Tracy Tyler

Troop 40986 went through the steps to earn their Bronze award by completing the Get Moving journey and their "Girl Scout Troop 986 Recycling Effort" project.

There were 13 girls in the troop that worked on the project. The goal of their project was to further educate the students and staff at Freewill on the importance of recycling and to partner with the Freewill lunch room staff and students to institute a rinse and recycle program. That program has since been turned over to Freewill's K.I.C.K.S. club to continue since the girls in our troop have up to Middle School this year.

The Girl Scout Bronze Award is a leadership adventure that more than half a million other Girl Scout Juniors across the country and around the world can make. This award is the highest honor a Girl Scout Junior can achieve.

Earning the Girl Scout Bronze Award involves the time to complete a journey, and then a suggested minimum of 20 hours building a team, exploring the community, choosing a project, planning it, putting the plan in motion, and spreading the word about the project.

Disa Pevear Western Wayne Service Unit

585,478,6998

1

Motion by Councilman Ruth to acknowledge the recipients of the Bronze Award accomplishments from Girl Scouts Freewill Troop 40986 and Troop Leader Tracy Tyler:

Felicia Welker	Emma Wallace			
Savannah Taylor	Kayla Syrell			
Lian Sydorowicz	Sophia Siracuse			
Aubrey Runkle	Julia Ross-MCGuire			
Claudia Rainwater	Carina Phillips			
Emily Gallaher	Alaska Dunstan			
Nicole Clark				

Seconded it by Councilwoman Hawkins-Mance.

Roll call vote:

Councilman Ruth

Aye

Councilman Pembroke

Aye

Councilwoman Hawkins-Mance

Aye

Councilwoman Markowski Supervisor Marini Aye

Motion carried.

Aye

WAYNE COUNTY WATER AUTHORITY - PROPOSED WATER RATES AND CHARGES FOR 2015:

The Following was submitted:



www.wcwsa.org

TO: Patricia Marini, Town of Walworth Supervisor

From: Martin J. Aman, Executive Director, W.C.W. & S.A.

RE: Proposed Water Rates and Charges for 2015

Date: October 31, 2014

Dear Patricia,

This letter shall serve as notification of the proposed water rates and charges for next year. As of January 1st, 2015 the cost of water within the Western Wayne Service Area of the W.C.W. & S.A. will *remain* \$4.25 per thousand gallons purchased. The basic service charge will increase from \$17.00 per quarter to \$20.00 per quarter.

Customers will be notified of the basic service charge increase on their January bills, with the new charge being reflected in the March/April Billing.

We look forward to a continuation of the strong relationship that we have enjoyed with the towns within the Western Wayne Service Area. Please feel free to call me with any questions.

Sincerely,

Martin J. Aman

Executive Director, W.C.W. & S.A.

3377 Daansen Road - Walworth, New York 14568 - (315) 986-1929 - Fax (315) 986-1687

Motion by Councilwoman Markowski to accept and file. Seconded by Councilwoman Hawkins-Mance.

Roll call vote:

Councilman Ruth

Aye

Councilman Pembroke

Aye

Councilwoman Hawkins-Mance

Aye

Councilwoman Markowski Supervisor Marini Aye

Motion carried.

Aye

2015 ORGANIZATIONAL MEETING SCHEDULED FOR THURSDAY JANUARY 8, 2015:

Motion by Councilman Ruth authorizing the 2015 Organizational Meeting for Thursday, January 8, 2015 at 7:30 PM.

Seconded by Councilwoman Markowski.

Roll call vote: Councilman Ruth Aye
Councilman Pembroke Aye
Councilwoman Hawking Manco

Councilwoman Hawkins-Mance Aye Councilwoman Markowski Aye Supervisor Marini Aye

Motion carried.

<u>EAGLE SCOUT PRESENTATION - INSTALLATION OF GINEGAW FARMERS</u> MARKET SIGN AND BUILDING PERMIT FEE WAIVER:

Scout Dan Courteau from Boy Scout Troop 167 gave a presentation to those present on his Eagle Scout Project; installation of a sign for the Ginegaw Farmers Market in Ginegaw Park. Questions were answered and suggestions were provided. Gratitude's and thank you were extended.

EXECUTIVE SESSION:

Motion by Councilman Ruth to enter into executive session to discuss

- 1. proposed, pending or current litigation.
- 2. medical, financial, credit, or employment history of a particular person/corp, or matters leading to said dismissal, removal, promotion, appointment, employment, discipline, demotion, or suspension.
- 3. the proposed acquisition/sale/lease of real property when publicity might affect value.
- 4. collective bargaining negotiations per Article 14 of Civil Service Law.

Seconded by Councilwoman Hawkins-Mance.

Roll call vote: Councilman Ruth Aye

Councilman Pembroke Aye
Councilwoman Hawkins-Mance Aye
Councilwoman Markowski Aye
Supervisor Marini Aye

Motion carried.

Time: 8:03 PM.

RECONVENE:

Supervisor Marini reconvened the regularly scheduled meeting.

Time: 8:41PM.

<u>ADJOURNMENT:</u>
Motion by Councilwoman Hawkins-Mance to adjourn. Seconded by Councilman Ruth.

Councilman Ruth Roll call vote: Aye

Councilman Pembroke Aye Councilwoman Hawkins-Mance Aye Councilwoman Markowski Aye Supervisor Marini Aye

Motion carried.

Time: 8:42 PM.

Respectfully Submitted,

Susie C. Jacobs, MMC, RMC

Town Clerk